

ORIGINAL

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS  
COMMERCE COMMISSION

Docket No. 00-0814  
ICC Office Use Only

Mercury Long Distance, Inc. :  
: Application for a Certificate of  
Interexchange Authority to :  
Operate as an Interexchange :  
Reseller of Telecommunications :  
Services in the State of Illinois :

APPLICATION FOR CERTIFICATE TO BECOME A  
TELECOMMUNICATIONS CARRIER

GENERAL

Applicant's Name(including d/b/a, if any)

FEIN # 23-2913509

Name: Mercury Long Distance, Inc.

Address: 240 Arch Street, Suite 2000

City: Philadelphia State: PA Zip: 19106

Authority Requested: (Mark all that apply) ☐ 13-403 ☒ 13-404 ☐ 13-405

Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.

☒ Part 710 ☐ Part 735 ☒ Section 735.180 ☐ Other

In what area of the State does the Applicant propose to provide service?

Mercury Long Distance, Inc. proposes to provide resold interexchange telecommunications services throughout the State of Illinois

a) issues related to processing this application

Name: David O. Klein  
Title: COO  
Mailing Address: Telecom Certification & Filing, Inc.  
485 Madison Avenue, 15<sup>th</sup> Floor  
New York, New York 10022-5803  
Telephone Number: (212) 546-9090  
Facsimile Number: (212) 753-8101  
E-mail Address: dklein@telfile.com

b) consumer issues

Name: Mr. Neal D. Saferstein  
Title: President and Chief Executive Officer  
Mailing Address: 240 Arch Street, Suite 2000  
Pennsylvania, PA 19106  
Telephone Number: (215) 629-0928  
Facsimile Number: (215) 413-7710  
E-mail Address:

c) customer complaint resolution

Name: Mr. Tyrone Barr  
Title: Customer Service Support Director  
Mailing Address: 240 Arch Street, Suite 2000  
Pennsylvania, PA 19106  
Telephone Number: (888) 948-1930  
Facsimile Number: (215) 413-7710  
E-mail Address:

d) technical and service quality issues

Name: Mr. Neal D. Saferstein  
Title: President and Chief Executive Officer  
Mailing Address: 240 Arch Street, Suite 2000  
Pennsylvania, PA 19106  
Telephone Number: (215) 629-0928  
Facsimile Number: (215) 413-7710  
E-mail Address:

e) "tariff" and pricing issues

Name: Mr. Neal D. Saferstein  
Title: President and Chief Executive Officer  
Mailing Address: 240 Arch Street, Suite 2000  
Pennsylvania, PA 19106  
Telephone Number: (215) 629-0928  
Facsimile Number: (215) 413-7710  
E-mail Address:

f) 9-1-1 issues

Name: Mr. Neal D. Saferstein  
Title: President and Chief Executive Officer  
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g) security/law enforcement

Name: Mr. Neal D. Saferstein  
Title: President and Chief Executive Officer  
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Pennsylvania, PA 19106  
Telephone Number: (215) 629-0928  
Facsimile Number: (215) 413-7710  
E-mail Address:

7. Please check type of organization?

☐ Individual ☒ Corporation  
☐ Partnership Date corporation was formed: July 20, 2000  
In what state? Delaware  
☐ Other (Specify)

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Attached hereto as Exhibit 1.

9. List jurisdictions in which Applicant is offering service(s).

None.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES (Please provide details) ☒ NO

11. Have there been any complaints against the Applicant in any other jurisdiction?

☐ YES ☒ NO

If YES, describe fully. \_\_\_\_\_

12. Will the Applicant keep its books and records in Illinois? \_\_\_\_\_ YES \_\_\_X\_\_\_ NO  
If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

Mercury Long Distance, Inc. requests that the Illinois Commerce Commission grant a waiver of the requirement that Mercury Long Distance, Inc. keep its books, accounts, papers, records and memoranda in the State of Illinois. Mercury Long Distance, Inc.'s system of accounting conforms to Generally Accepted Accounting Principles (GAAP) and Mercury Long Distance, Inc. will produce any requested books, accounts, papers, records and memoranda at the Illinois Commerce Commission office. A copy of this Waiver Request is attached hereto as Exhibit 2.

#### **MANAGERIAL**

13. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

Attached hereto as Exhibit 3.

14. List officers of Applicant.

Neal D. Saferstein - President/Chief Executive Officer  
Robyn Saferstein - Secretary/Vice President of Finance  
Ernie Micciche - Treasurer and Chief Financial Officer  
Frank L. Testa - Chief Operating Officer  
VicKie L. Davis - Vice President of Sales and Marketing  
Billy D. Light - Chief Information Officer  
Ronald Stern - Director  
Arthur Cohen - Director  
Robert Rosenkantz - Director

15. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? \_\_\_\_\_ YES \_\_\_X\_\_\_ NO

If YES, list entity. \_\_\_\_\_

16. How will Applicant bill for its service(s)?

Pursuant to contract with its underlying carriers, customers will be billed on behalf of Applicant.

17. How does Applicant propose to handle service, billing, and repair complaints?

Service, billing and repair complaints will be handled by the Mr. Tyrone Barr in Mercury's Customer Service Department, available 24 hours a day, seven days a week. The Customer Service Department can be reached by calling (888) 948-1930 or by writing to: Customer Service Department, c/o Mercury Long Distance, Inc., 240 Arch Street, Suite 2000, Philadelphia, PA 19106. On-site service and repair will be handled by the personnel of underlying carriers, pursuant to contract.

18. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? \_\_\_X\_\_\_ YES \_\_\_\_\_ NO

19. What telephone number(s) would a customer use to contact your company?

(888) 948-1930

20. What are your procedures to prevent unauthorized "slamming" of customers?

Mercury Long Distance, Inc. will not switch a customer's interexchange provider without first obtaining a proper Letter of Authorization or a Third Party Verification from the customer to do so. Mercury Long Distance, Inc. will immediately respond to these reports through its Customer Service Department and will work with the particular customer and the Illinois Commerce Commission ("ICC") to resolve any and all such reports of slamming.

21. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 735, 755, 756, 757, 770, and 772?

\_\_\_\_\_ YES         X    NO (If no, please provide an explanation.)

Mercury Long Distance, Inc. is not applying for authority to operate as a local exchange carrier. Mercury Long Distance, Inc. is applying for interexchange authority to operate as a reseller of telecommunications services in the State of Illinois.

22. Will the applicant sign and return membership forms to the Universal Telephone Assistance Corporation and the Illinois Telecommunications Access Corporation?    X    YES \_\_\_\_\_ NO

Attached hereto as Exhibit 4.

#### **FINANCIAL**

23. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

Attached hereto as Exhibit 5.

#### **TECHNICAL**

24. Does Applicant utilize its own equipment and/or facilities? \_\_\_\_\_ YES    X    NO

If YES, please list: \_\_\_\_\_

If NO, which facility provider(s)'s services does Applicant use?

Global Crossing and Teligent.

25. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, local service).

Mercury Long Distance, Inc. intends to provide resold long distance service indiscriminately to both residential and business class customers throughout the entire State of Illinois. Mercury Long Distance, Inc. proposes to acquire and resell various voice and data communications services offered by communications interexchange carriers, and to package and provide these services for the specialized functions and needs of its customers. In particular, services will be acquired from underlying interexchange carriers at bulk rates and will be resold to applicant's customers, so that customers will benefit from reduced pricing. The experienced management, technical, and operations expertise of the Mercury Long Distance, Inc. team will enable Mercury Long Distance, Inc. to begin offering competitive high-quality service immediately upon the grant of the authority requested herein.

In addition to reduced pricing, the introduction of Mercury Long Distance, Inc. services will promote competition and lead to greater efficiencies and more rapid introduction of new technologies in the use of telephone service. Thus, ICC grant of this application will significantly serve the public interest through enhanced competition in the market for interexchange services through the addition of a well managed new entrant into the market.

26. Will technical personnel be available at all times to assist customers with service problems?  
  X   YES        NO
27. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls?        YES        NO

N/A - Mercury Long Distance, Inc. does not intend to provide payphone service in the State of Illinois.

Respectfully submitted,

Mercury Long Distance, Inc.

By: 

David O. Klein, COO  
Telecom Certification & Filing, Inc.  
485 Madison Avenue, 15<sup>th</sup> Floor  
New York, NY 10022-5803  
(212) 546-9090  
Representative of Mercury Long Distance, Inc.

# VERIFICATION

This application shall be verified under oath.

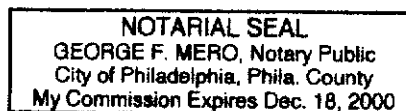
## OATH

State of Pennsylvania )  
County of Phila )ss  
 )

Mr. Neal D. Saferstein makes oath and says that he is President and Chief Executive Officer  
of Mercury Long Distance, Inc.

that he has examined the foregoing application and that to the best of his knowledge, information, and  
belief, all statements of fact contained in said application are true, and that said application is a correct  
statement of the business and affairs of the above-named applicant in respect to each and every matter  
set forth therein.

Neal D. Saferstein  
Mr. Neal D. Saferstein



Subscribed and sworn to before me, a Notary Public/ \_\_\_\_\_  
(Title of person authorized to administer oaths)

in the State and County above named, this 14<sup>th</sup> day of December, 2000.

George F. Mero  
(Signature of person authorized to administer oath)